APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,780	07/12/2001	John Border	PD-201020	1489

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EXAMINER
ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on th cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5)☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date *08/08/2003*.	6)☐ Other: _____.

DETAILED ACTION

1.   This action is response to the communication filed on July 12, 2001. Claims 1 –

35 were originally received for consideration. No preliminary amendments for the

claims were filed. Claims 1 – 35 are currently under consideration.

Information Disclosure Statement

2.   An initialed and dated copy of Applicant's IDS form 1449, received August 7,

2003, is attached to this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1 - 35 rejected under 35 U.S.C. 102(e) as being anticipated by Gelman et

al. (U.S. 6,415,329).

Regarding claim 1, Gelman discloses:

A method for performing redundancy switching from a first platform to a second platform, the method comprising:

identifying a message received over a connection according to a prescribed protocol as an unspoofed message (column 4 lines 10 –45, column 9 line 66 – column 10 line 8);

terminating, during a predetermined period, the connection based upon the identifying step (Figure 10, column 10 lines 1 – 8, column 15 line 47 – column 17 line 20); and

restarting a spoofed connection between the second platform and a host (Figure 10, column 10 lines 1 – 8, column 15 line 47 – column 17 line 20).

Examiner interprets the above limitations as analogous to the organization of Figures 1 and 2 wherein a TCP connection is broken up into 3 segments, with a TCP connection existing between the first gateway and a host and a second gateway and a remote host, and another Wireless Link Protocol (WLP) connection existing between the gateways. The client gateway after the termination of the first TCP connection will restart a spoofed connection when it identifies a message as bound for a server. The gateway changes the addressing information in the packet (spoofing) and forwards the packet to the client gateway application.

Regarding claim 8, Gelman discloses:

A communication system comprising:

a first platform configured to communicate with a remote platform (Figure 2,

column 15 line 47 – column 17 line 20); and

a second platform configured to communicate with the remote platform upon

failure of the first platform to communicate with the remote platform, the second platform

being configured to identify a message received from a local host over a connection

according to a prescribed protocol as an unspoofed message, wherein the second

platform terminates, during a predetermined period, the connection in response to the

identified message (Figure 2, Figure 10, column 4 lines 10 – 45, column 9 line 66 –

column 10 line 8, column 15 line 47 – column 17 line 20).

Examiner interprets the above limitations as analogous to the organization of

Figures 1 and 2 wherein a TCP connection is broken up into 3 segments, with a TCP

connection existing between the first gateway and a host and a second gateway and a

remote host, and another Wireless Link Protocol (WLP) connection existing between the

gateways. The client gateway after the termination of the first TCP connection will

restart a spoofed connection when it identifies a message as bound for a server. The

gateway changes the addressing information in the packet (spoofing) and forwards the

packet to the client gateway application.

Regarding claim 15, Gelman discloses:

A communication gateway for providing redundant communication in a

communication system having a remote platform, the gateway comprising:

a communication interface configured to receive a message from a host over a connection according to a prescribed protocol (Figure 2, column 15 line 47 – column 17 line 20); and

a processor coupled to the communication interface and configured to identify the message received as an unspoofed message, and configured to terminate, during a predetermined period, the connection based upon the identified message, the processor being configured to restart a spoofed connection with another host (Figure 2, Figure 10, column 4 lines 10 – 45, column 9 line 66 – column 10 line 8, column 15 line 47 – column 17 line 20).

Examiner interprets the above limitations as analogous to the organization of Figures 1 and 2 wherein a TCP connection is broken up into 3 segments, with a TCP connection existing between the first gateway and a host and a second gateway and a remote host, and another Wireless Link Protocol (WLP) connection existing between the gateways. The client gateway after the termination of the first TCP connection will restart a spoofed connection when it identifies a message as bound for a server. The gateway changes the addressing information in the packet (spoofing) and forwards the packet to the client gateway application.

Regarding claim 22, Gelman discloses:

A communication gateway for providing redundant communication in a communication system having a remote platform, the gateway comprising:

means for identifying a message received over a connection according to a

prescribed protocol as an unspoofed message (column 4 lines 10 –45, column 9 line 66

– column 10 line 8);

means for terminating, during a predetermined period, the connection based

upon the identified message (Figure 10, column 10 lines 1 – 8, column 15 line 47 –

column 17 line 20); and

means for restarting a spoofed connection between the second platform and a

host (Figure 10, column 10 lines 1 – 8, column 15 line 47 – column 17 line 20).

Examiner interprets the above limitations as analogous to the organization of

Figures 1 and 2 wherein a TCP connection is broken up into 3 segments, with a TCP

connection existing between the first gateway and a host and a second gateway and a

remote host, and another Wireless Link Protocol (WLP) connection existing between the

gateways. The client gateway after the termination of the first TCP connection will

restart a spoofed connection when it identifies a message as bound for a server. The

gateway changes the addressing information in the packet (spoofing) and forwards the

packet to the client gateway application.

Regarding claim 29, Gelman discloses:

A computer-readable medium carrying one or more sequences of one or more

instructions for performing redundancy switching from a first platform to a second

platform, the one or more sequences of one or more instructions including instructions

which, when executed by one or more processors, cause the one or more processors to

perform the steps of:

identifying a message received over a connection according to a prescribed

protocol as an unspoofed message (column 4 lines 10 –45, column 9 line 66 – column

10 line 8);

terminating, during a predetermined period, the connection based upon the

identifying step (Figure 10, column 10 lines 1 – 8, column 15 line 47 – column 17 line

20); and

restarting a spoofed connection between the second platform and a host (Figure

10, column 10 lines 1 – 8, column 15 line 47 – column 17 line 20).

Examiner interprets the above limitations as analogous to the organization of

Figures 1 and 2 wherein a TCP connection is broken up into 3 segments, with a TCP

connection existing between the first gateway and a host and a second gateway and a

remote host, and another Wireless Link Protocol (WLP) connection existing between the

gateways. The client gateway after the termination of the first TCP connection will

restart a spoofed connection when it identifies a message as bound for a server. The

gateway changes the addressing information in the packet (spoofing) and forwards the

packet to the client gateway application.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 1, further comprising:

invoking a reset function, wherein the reset function transmits a reset message to

a local host that forwarded the message to terminate the connection (column 10 lines 1

– 9, column 22 lines 25 – 40, column 23 lines 25 – 34).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 1, further comprising: determining whether the

predetermined period has expired (column 5 lines 10 – 22, column 10 lines 1 – 38); and

forwarding unspoofed messages to a remote platform based upon the

determining step (column 10 lines 1 – 38).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 1, wherein the prescribed protocol is the

Transmission Control Protocol, the method further comprising:

determining whether global TCP spoofing is enabled (column 9 line 16 – column

10 line 37); and

selectively forward TCP segments unspoofed to a remote platform (column 9 line

16 – column 10 line 37).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 1, further comprising:

establishing a backbone connection from the second platform to a remote

platform (Figure 10, column 15 line 47 – column 17 line 20); and

forwarding a spoofed message over the backbone connection to a remote host

(Figure 10, column 15 line 47 – column 17 line 20).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 1, further comprising: forwarding messages

associated with another protocol to a remote platform irrespective of the predetermined

period (column 9 line 65 – column 10 line 38).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Gelman

discloses:

The method according to claim 5, wherein the backbone connection in the

establishing step includes a space link over a satellite network (Figures 1,2,14, column

1 line 21 – column 2 line 32).

Claims 9-14 are system claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

Claims 16 – 21 are apparatus claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

Claims 23 – 28 are apparatus claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

Claims 30 – 35 are computer-readable medium claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free).

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